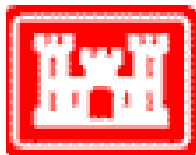


# PUBLIC NOTICE



US ARMY CORPS  
OF ENGINEERS

OMAHA DISTRICT

APPLICANT: SD DEPT. OF  
TRANSPORTATION  
APPLICATION NO: 200530160  
WATERWAY: RUSH LAKE/  
LITTLE RUSH LAKE

ISSUE DATE: MAY 18, 2005  
EXPIRATION DATE: JUNE 8, 2005

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Regulatory Office, 28563 Powerhouse Rd, Room 118, Pierre, SD 57501  
<https://www.nwo.usace.army.mil/html/od-rsd/frame.html>

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**21-DAY NOTICE**

**JOINT NOTICE OF PERMIT PENDING**

US ARMY CORPS OF ENGINEERS  
AND  
SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

The application of South Dakota Department of Transportation, 700 East Broadway, Pierre, South Dakota 57501, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, US Army Engineer District, Omaha, Nebraska.

The applicant requests authorization to construct two additional highway lanes across Rush Lake and Little Rush Lake as part of an expressway project. This is the third phase of a project that will create a continuous four lane I-29 Expressway from Aberdeen, South Dakota to Interstate Highway-29 near Summit, South Dakota. The project is located in Section 36, Township 122 North, Range 55 West, and Sections 31 and 32, Township 122 North, Range 54 West, Day County, South Dakota.

The proposed project will consist of constructing a new set of road lanes on the south side of the existing two-lane highway. The new roadway construction will include the extension of an existing box culvert and other culvert drainage structures, widening of the roadway embankment, placement of riprap erosion protection on the embankment slope, installing other erosion protection and seeding and mulching of exposed areas. Temporary barriers will be required to install drainage structures. Approximately eight and four-tenths (8.4) wetland acres, which have been determined to be jurisdictional under the Clean Water Act, will be adversely impacted in/adjacent to the two lakes. The applicant has proposed compensatory mitigation for the unavoidable wetland impacts by replacing the impacted wetland acreage through the use of restored wetlands (permanently to seasonally flooded wetlands) at the Sorensen Game Production Area (Expressway Mitigation Project) in Section 22, Township 96 North, Range 61 West, Bon Homme County, South Dakota.

The previously drained wetlands were restored by a funding arrangement between the applicant and the South Dakota Department of Game, Fish and Parks. A preliminary agreement between the applicant and state and Federal resource agencies has been reached to mitigate the project impacted wetlands at ratio of 1.5 acres of restored wetlands per acre of wetlands impacted.

The purpose of the project is to provide for the safety of the public traveling the highway and to accommodate current and expected highway traffic volumes.

The South Dakota Department of Environment and Natural Resources, Division of Environmental Services, 523 East Capitol Avenue, Pierre, South Dakota, 57501-3181, will review the proposed project for state certification in accordance with the provisions of Section 401 of the Clean Water Act. The certification, if issued, will express the State's opinion that the operations undertaken by the applicant will not result in a violation of applicable water quality standards. The South Dakota Department of Environment and Natural Resources hereby incorporates this public notice as its own public notice and procedures by reference (ARSD 74:51:01).

Omaha District will comply with the National Historic Preservation Act of 1966, as amended. The applicant has coordinated the proposed project construction with the State Historical Preservation Officer (SHPO), SHPO Project #031023001F. A Memorandum of Agreement was developed that stipulated several measures be taken to satisfy the requirements of Section 106 of the National Historic Preservation Act. However, we will evaluate any additional input by the SHPO and the public in response to this public notice.

In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and, in general the needs and welfare of the people. In addition, the evaluation of the impacts of the project on public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties,

water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

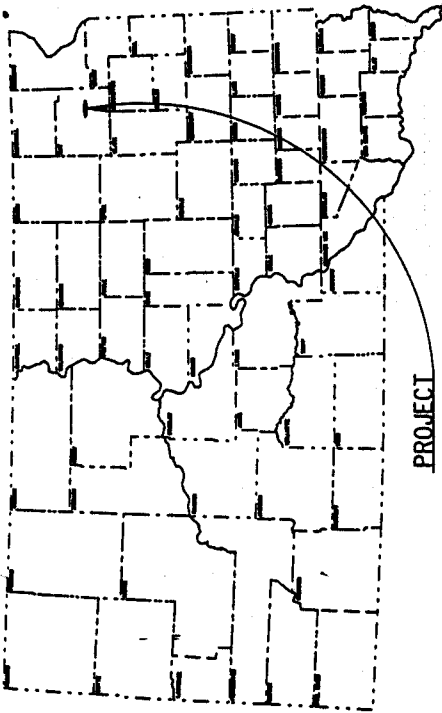
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public hearing. The request must be submitted to the US Army Corps of Engineers, South Dakota Regulatory Office, 28563 Powerhouse Road, Room 118, Pierre, South Dakota 57501.

Any interested party (particularly officials of any town, city, county, state, Federal agency, Indian Tribe, or local association whose interests may be affected by the proposed work) is invited to submit to this office, written facts, arguments, or objections on or before June 8, 2005. Any agency or individual having an objection to the proposed work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application. All replies to the public notice should be addressed to the address listed in the previous paragraph. Thomas A Lowin, telephone number (605) 224-8531, may be contacted for additional information.

Comments received after the close of the business day on the expiration date of this public notice will not be considered.

This project, if authorized, will be under the provisions of Section 404 of the Clean Water Act.

Drawings showing the location and extent of the work are attached to this notice.

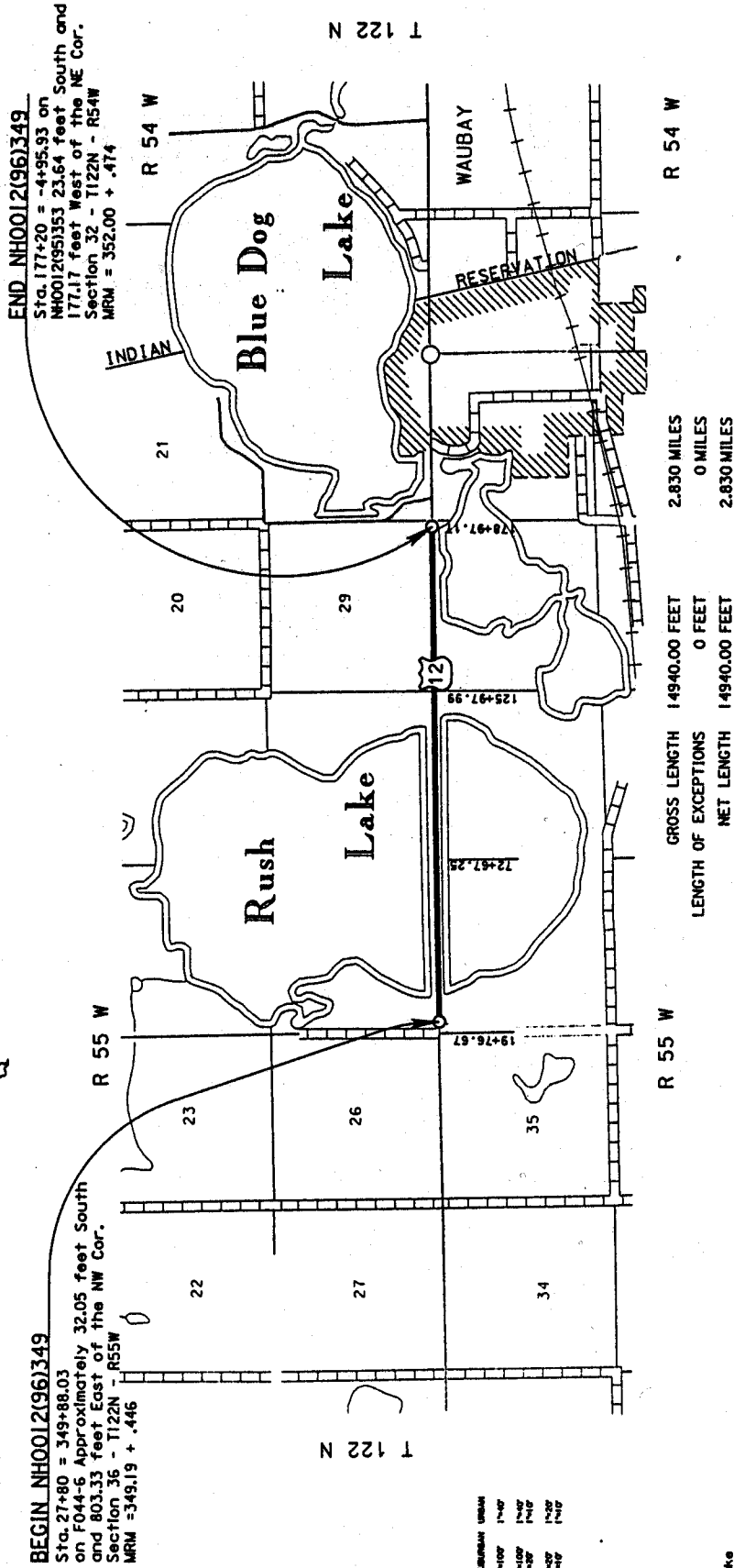


STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION  
PLANS FOR PROPOSED

**PROJECT NH 0012(96)349**  
**U.S. HIGHWAY 12**  
**DAY COUNTY**

GRADING, PRECAST BOX CULVERT & AC SURFACING  
PCN 5863

PROJECT



**SCALES**

|                |                   |
|----------------|-------------------|
| PLAN           | 1"=200'           |
| PROFILES       | 1"=20' VERTICAL   |
| CROSS SECTIONS | 1"=20' HORIZONTAL |

**DESIGN DESIGNATION**

|            |        |
|------------|--------|
| ADT (2003) | 3125   |
| ADT (2023) | 5000   |
| DNV        | 715    |
| D          | 502    |
| T          | 2172   |
| V          | 70 MPH |

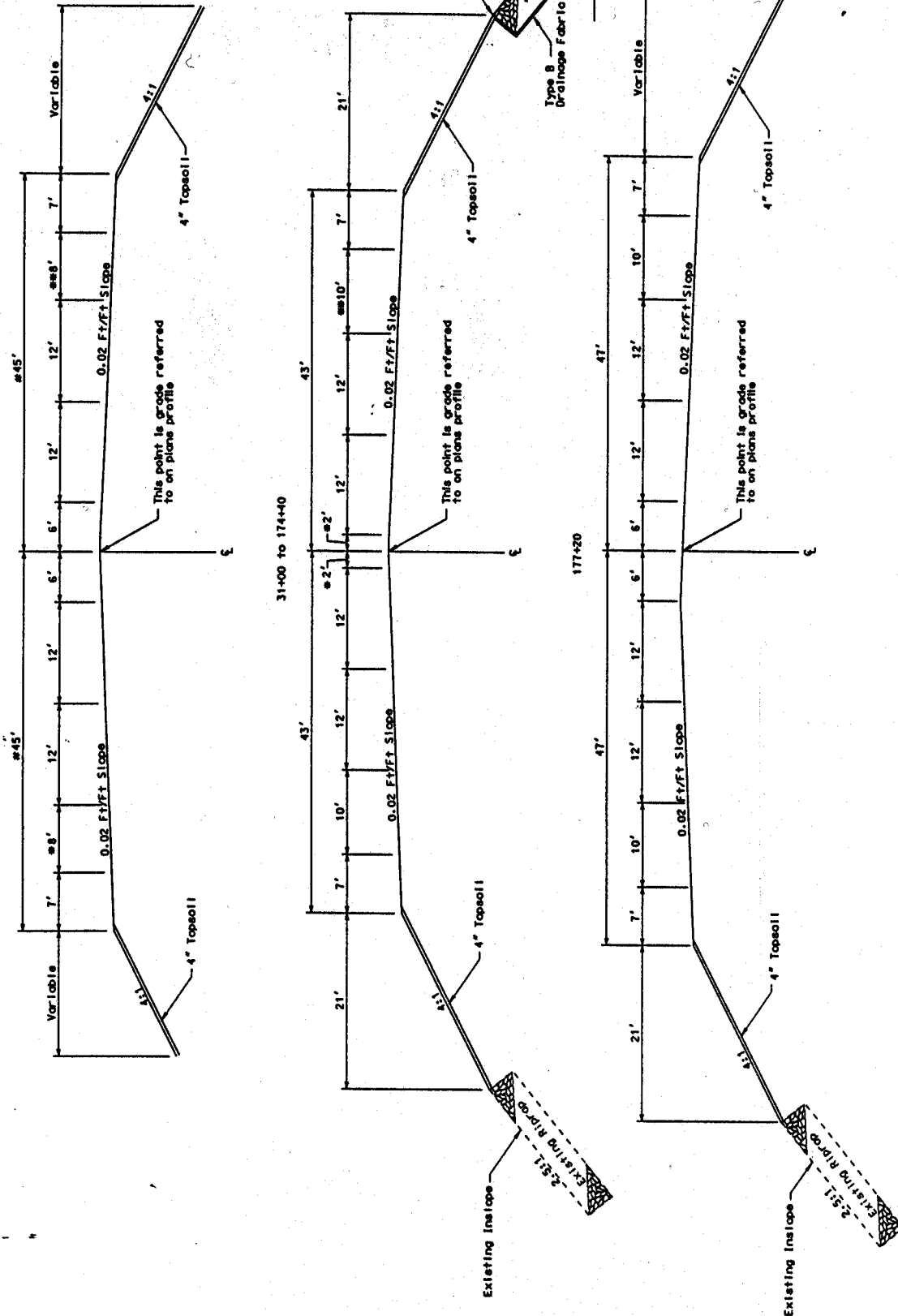
**STORM WATER PERMIT**  
Major Stream Rush Lake  
Area Disturbed 72 Acres

PURPOSE: Highway Construction  
APPLICATION BY: SD-DOT

IN Rush Lake/Little Rush Lake  
AT Sec. 31&32, 36/T122N/R54, 55W  
COUNTY Day  
DATE 5/18/2005  
SHEET 1 of 6

No. 200530160

# TYPICAL GRADING SECTION



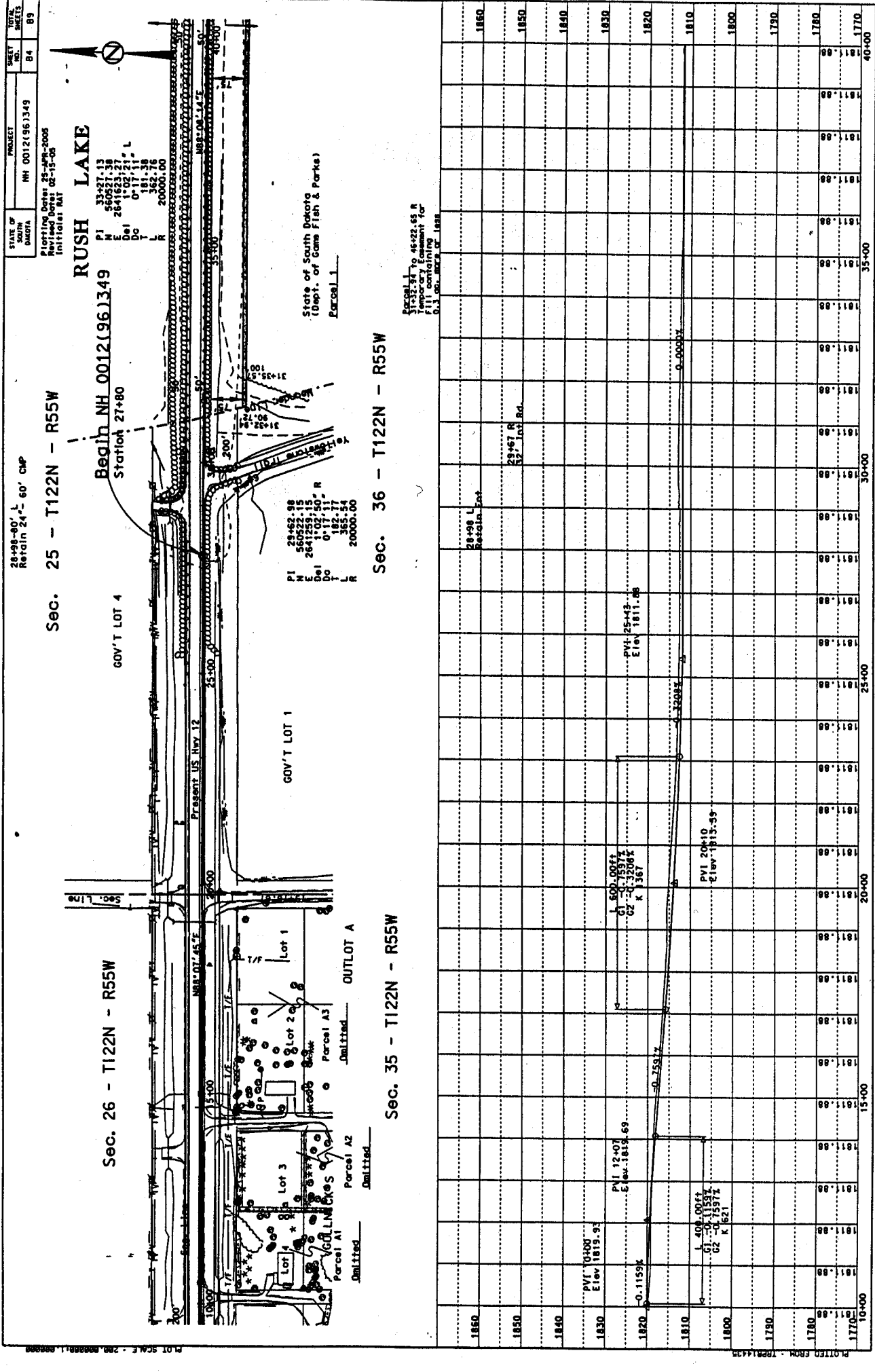
Transitions  
 10' from 28+38 to 31+00  
 10' from 31+00 to 33+40  
 10' from 33+40 to 36+00  
 10' from 36+00 to 38+40  
 10' from 38+40 to 40+00  
 10' from 40+00 to 42+40  
 10' from 42+40 to 44+00  
 10' from 44+00 to 46+00  
 10' from 46+00 to 48+00  
 10' from 48+00 to 50+00  
 10' from 50+00 to 52+40  
 10' from 52+40 to 54+00  
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 10' from 70+00 to 72+40  
 10' from 72+40 to 74+00  
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 10' from 90+00 to 92+40  
 10' from 92+40 to 94+00  
 10' from 94+00 to 96+00  
 10' from 96+00 to 98+00  
 10' from 98+00 to 100+00

Transitions  
 10' from 28+38 to 31+00  
 10' from 31+00 to 33+40  
 10' from 33+40 to 36+00  
 10' from 36+00 to 38+40  
 10' from 38+40 to 40+00  
 10' from 40+00 to 42+40  
 10' from 42+40 to 44+00  
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 10' from 92+40 to 94+00  
 10' from 94+00 to 96+00  
 10' from 96+00 to 98+00  
 10' from 98+00 to 100+00

PURPOSE: Highway Construction  
 APPLICATION BY: SD-DOT  
 COUNTY: Day  
 DATE: 5/18/2005  
 SHEET 2 of 6

PURPOSE: Highway Construction  
 APPLICATION BY: SD-DOT  
 COUNTY: Day  
 DATE: 5/18/2005  
 SHEET 2 of 6

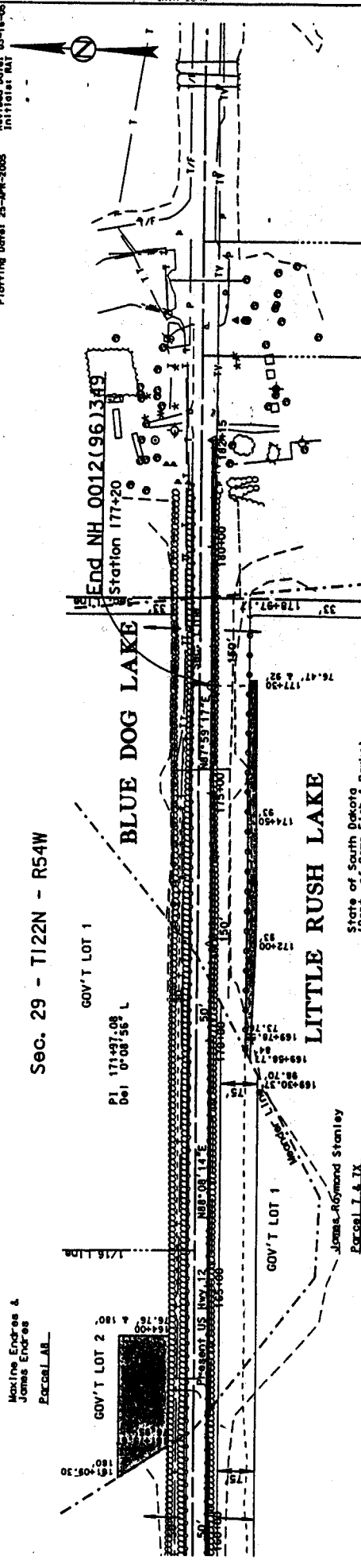
No. 200530160



PURPOSE: Highway Construction  
 APPLICATION BY: SD-DOT  
 IN Rush Lake/Little Rush Lake  
 AT Sec. 31&32,36/T122N/R54,55W  
 COUNTY Day  
 DATE 5/18/2005  
 SHEET 3 of 6

No. 200530160

175+31 Retain Existing 30" CUP  
Extend Right with 30"-38" CUP  
-4-1- Flared End



State of South Dakota  
(Dept. of Game Fish & Parks)

Sec. 32 - T122N - R54W

Parcel A8  
151-09.30 to 154-00 L  
Temporary Easement for  
Cut, Fill & Ent containing  
0.5 ac. more or less

Parcel 5  
165+58.77 to 177+30 R  
Temporary Easement for  
Cut containing  
0.5 ac. more or less

[illegible]

PURPOSE: Highway Construction  
APPLICATION BY: SD-DOT

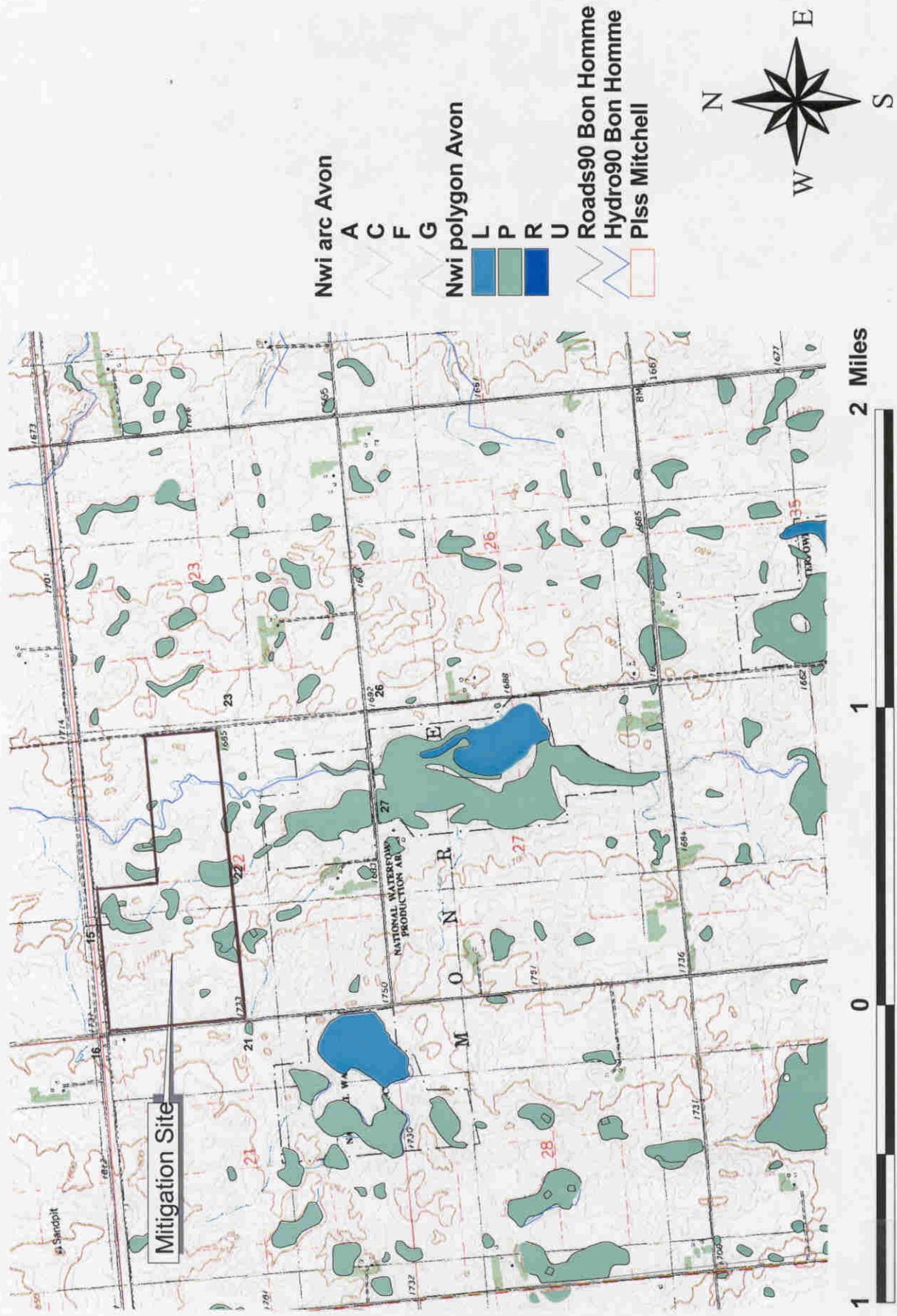
No. 200530160

COUNTY Day  
DATE 5/18/2005  
SHEET 4 of 6





Sorensen Game Production Area  
 Section 22, T96N, R61W, Bon Homme County



**PURPOSE:** Highway Construction  
**APPLICATION BY:** SD-DOT

**IN Rush Lake/Little Rush Lake**  
**AT Sec. 31&32, 36/T122N/R54, 55W**  
**COUNTY** Day  
**DATE** 5/18/2005  
**SHEET** 6 of 6

No. 200530160